

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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No. 23-5083

September Term, 2024

FILED ON: AUGUST 12, 2025

STATE OF GEORGIA AND BRAD RAFFENSPERGER, GEORGIA SECRETARY OF STATE, IN HIS OFFICIAL CAPACITY,

APPELLEES

v.

UNITED STATES DEPARTMENT OF JUSTICE,  
APPELLANT

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Appeal from the United States District Court  
for the District of Columbia  
(No. 1:21-cv-03138)

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Before: SRINIVASAN, *Chief Judge*, GARCIA, *Circuit Judge*, and ROGERS, *Senior Circuit Judge*

**JUDGMENT**

This cause came to be heard on the record on appeal from the United States District Court for the District of Columbia and was argued by counsel. On consideration thereof, it is

**ORDERED** and **ADJUDGED** that the District Court's grant of summary judgment to Georgia with respect to the two emails predating memorialization of the common-interest agreement be affirmed, but otherwise, the grant of summary judgment be reversed, in accordance with the opinion of the court filed herein this date.

**Per Curiam**

**FOR THE COURT:**  
Clifton B. Cislak, Clerk

BY: /s/

Daniel J. Reidy  
Deputy Clerk

Date: August 12, 2025

Opinion for the court filed by Chief Judge Srinivasan.